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DATE:

January 5, 2005

TO:

Examiner Joseph Pape

U.S. Patent and Trademark Office

TC Art Unit: 3612

FROM:

Stanley M. Schurgin

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PIC-028XX

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Application No. 10/824,191 Filed Date: April 14, 2004 Confirmation No.: 5889

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FOR ENTRY

Enclosed for filing please find an Amendment.

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

Attorney for Applicant: Stanley M. Schurgin

Registration No.

20.979

315673

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Application No.: 10/824,191
Filed: April 14, 2004
TC Art Unit: 3612
Confirmation No.: 5889

Rev 12/04

WEINGARTEN, SCHURGIN, CACNEBIN & LEBOVICI LLP

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Via Facsimile

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Attorney

Docket No.: PIC-028XX

Date: January 5, 2005

Sir:

In re application of: Robert A. Talbot

Entitled:

VARIABLE HEIGHT COVERING SYSTEM

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

- This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$______) per §1.17(e).

 [] Enter the unentered amendment previously filed on ______ per §1.116.

 [] A Petition for Extension of Time for ___ month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$______) per §1.17.

 [X] In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- [] Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	4 - 3	= 1	x \$200.00 =	200.00
Total	7 - 20	= 0	x \$ 50.00 =	0
[] Multiple Dependent Claims (1st presentation) + \$360.00 =				0
CONTROL OF THE PROPERTY OF THE				200.00
Small Entity filing, divide by 2. Small Entity status must be asserted.				100.00
APPORTURE AND AP				100.00

- [] No additional fee. [X] The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$100.00) for the cost of same.
- [X] The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

SMS/doc 315669 Attorney of Record: Stanley M. Schurgin

Registration No.: 20,979

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PATENT

Rev 12/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Robert A. Talbot

Application No.

: 10/824,191

Filed

: April 14, 2004

Confirmation No.

: 5889

For

VARIABLE HEIGHT COVERING SYSTEM

Examiner

: Joseph Pape

Attorney's Docket : PIC-028XX

TC Art Unit: 3612

I hereby certify that this correspondence is being sent via facsimile to Examiner, Joseph Pape, TC Art Unit 3612, Fax No. (703)872-9306, on 4/5/05

Stanley M. Schurgin

Registration No. 20,979 Attorney for Applicant(s)

AMENDMENT

Via Facsimile Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 29, 2004, please amend the above-identified patent application as follows.